

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UMG RECORDINGS, INC.,

Plaintiff/Judgment Creditor,

vs.

AGUILA RECORDS, INC.,

Defendant/Judgment Debtor.

No. 11 CV 08677

Honorable Elaine E. Bucklo

CITATION NOTICE

<u>Judgment Debtor's Last Known Address:</u>		<u>Judgment Creditor/Creditor's Attorney:</u>	
Name and Address:	Aguila Records, Inc. 7439 W. 60th Place Summit, IL 60501	Name and Address:	UMG Recordings, Inc. Terence G. Banich Carrie E. Davenport Shaw Gussis Fishman Glantz Wolfson & Towbin LLC 321 N. Clark St., Suite 800 Chicago, IL 60654

Judgment in the amount of:	\$1,026,566.09, plus post-judgment interest accrued pursuant to 28 U.S.C. § 1961, which to date is \$2,539.70, and continues to accrue
Name of person receiving citation:	JP Morgan Chase Bank, N.A.
Date and time of citation:	December 19, 2011 at 9:00 a.m.

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. The JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed \$2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$1,500 in value, in any implements, professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$15,000, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a wage deduction summons served on or after January 1, 2006, the Illinois minimum hourly wage, whichever is greater.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at 219 S. Dearborn Street, Chicago, Illinois 60606. When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

CERTIFICATE OF MAILING CITATION

I, Terence G. Banich, an attorney, hereby certify that: (i) within three (3) business days of service of the Citation to Discover Assets upon **JP Morgan Chase Bank, N.A.**, a person other than the Judgment Debtor, I served upon the Judgment Debtor a copy of the Citation to Discover Assets and the Citation Notice by first class mail to the Judgment Debtor at the following addresses:

Aguila Records, Inc.
7439 W. 60th Place
Summit, IL 60501

Aguila Records, Inc.
c/o Thaddeus J. Makarewicz, Registered Agent
33 N. LaSalle Street, Suite 3300
Chicago, IL 60602

and (ii) on December 12, 2011, I served **JP Morgan Chase Bank, N.A.** with a copy of the Citation to Discover Assets by facsimile at (866) 699-0618 and by prepaid certified United States Mail addressed to JP Morgan Chase Bank, N.A., return receipt requested, at 30 S. Wacker Drive, Chicago, Illinois 60606.

Dated: December 12, 2011

/s/Terence G. Banich

Terence G. Banich (6269359)
Carrie E. Davenport (6289322)
Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
321 N. Clark Street, Suite 800
Chicago, IL 60654
(312) 980-3859
tbanich@shawgussis.com
cdavenport@shawgussis.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UMG RECORDINGS, INC.,)	
)	
Plaintiff/Judgment Creditor,)	
)	No. 11 CV 08677
vs.)	
)	
AGUILA RECORDS, INC.,)	Honorable Elaine E. Bucklo
)	
Defendant/Judgment Debtor.)	

CITATION TO DISCOVER ASSETS

To: JP Morgan Chase Bank, N.A.
30 S. Wacker Drive, Chicago, Illinois 60606
(866) 578-7022
(866) 699-0618 facsimile

On February 14, 2011, the United States District Court for the Central District of California entered a judgment in civil action no. 10 CV 00252 in favor of UMG Recordings, Inc. ("UMG") and against

Aguila Records, Inc.
7439 W. 60th Place, Summit, Illinois 60501
EIN: 38-3673461

(the "Judgment Debtor") in the amount of \$1,026,566.09, plus post-judgment interest accrued pursuant to 28 U.S.C. § 1961, which to date is \$2,539.70, and continues to accrue (the "Judgment"). The Judgment remains entirely unsatisfied.

On December 6, 2011, UMG filed the above-captioned civil action to register the Judgment in the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1963.

Pursuant to 735 ILCS 5/2-1402 and Illinois Supreme Court Rule 277, made applicable hereto by Federal Rule of Civil Procedure 69(a)(1), **YOU ARE COMMANDED** to appear at the offices of Shaw Gussis Fishman Glantz Wolfson & Towbin LLC, 321 N. Clark Street, Suite 800, Chicago, Illinois 60654, on **December 19, 2011 at 9:00 a.m.** to be examined under oath to discover assets or income not exempt from the enforcement of the Judgment.

YOU ARE COMMANDED to produce at the examination all books, papers or records in your possession or control showing any accounts, property, assets or income of the Judgment Debtor, including, without limitation: (a) all personal or business checking, savings, money market or other accounts, in which the Judgment Debtor has, or has had, an interest, including, without limitation, **account number 1115002119485**; (b) all safety deposit boxes/vaults to which the Judgment Debtor is a signatory and/or holds keys; (c) any trust(s) in which the Judgment Debtor has any interest; and (d) any information concerning any other property or income of or indebtedness due the Judgment Debtor.

Documents produced prior to the examination may be delivered to Terence G. Banich, Shaw Gussis Fishman Glantz Wolfson & Towbin LLC, 321 N. Clark Street, Suite 800, Chicago, Illinois 60654, telephone (312) 980-3859, facsimile (312) 980-3888, email: tbanich@shawgussis.com.

Pursuant to 735 ILCS 5/2-1402(f)(1), **YOU ARE PROHIBITED** from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the Judgment Debtor or to which the Judgment Debtor may be entitled or which may be acquired by or become due to the Judgment Debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the Judgment Debtor until the further order of court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment.

YOUR FAILURE TO COMPLY WITH THIS CITATION MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF THIS COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

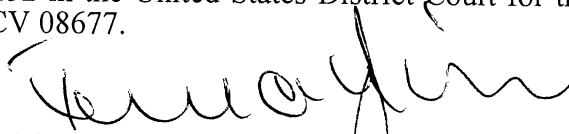
CERTIFICATE OF ATTORNEY

I, Terence G. Banich, an attorney, certify under penalties as provided by law pursuant to 735 ILCS 5/1-109 that the following information is true:

1. On February 14, 2011, the United States District Court for the Central District of California entered a judgment in civil action no. 10 CV 00252 in favor of UMG Recordings, Inc. and against **Aguila Records, Inc.** in the amount of \$1,026,566.09, plus post-judgment interest accrued pursuant to 28 U.S.C. § 1961, which to date is \$2,539.70, and continues to accrue, the entirety of which remains unsatisfied.

2. On December 6, 2011, pursuant to 28 U.S.C. § 1963, UMG Recordings, Inc. registered the judgment entered by the United States District Court for the Central District of California in civil action no. 10 CV 00252 in the United States District Court for the Northern District of Illinois as civil action no. 11 CV 08677.

Dated: December 12, 2011



Terence G. Banich (6269359)
Carrie E. Davenport (6289322)
Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
321 N. Clark Street, Suite 800
Chicago, IL 60654
(312) 980-3859
tbanich@shawgussis.com
cdavenport@shawgussis.com

DAVID JOZWIAK

Clerk
United States District Court
Northern District of Illinois

DEC 12 2011

ANSWER OF THIRD PARTY RESPONDENT CITATION

This first section must be filled out by the judgment creditor.

Citation/Respondent: _____ Court Date: _____
 Defendant's Name: _____ SS No. xxx-xx-_____ Case No. _____
 Judgment Balance: \$ _____
 This is a Citation: Freeze up to double the Judgment Balance.

INTERROGATORIES

1. On the date of service of the citation, did you have in your possession, custody or control any personal property or monies belonging to the judgment debtor? ☐ Yes ☐ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

2. Is this an IRA account? Or have all of the deposits made during the past 90 days been electronically deposited and identified as exempt Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension or Retirement or by a source drawing from any other statutory exemptions? ☐ Yes ☐ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

3. Is/Are the account(s)' current balance equal to or less than the total of the exempt deposits? ☐ Yes ☐ No

IF YOU ANSWERED "YES" TO ALL 3 QUESTIONS AND FUNDS IN THE ACCOUNT(S) ARE EXEMPT, DO NOT FREEZE THE FUNDS AND GO TO "INSTRUCTIONS" BELOW.

4.	ACCOUNT BALANCE	AMOUNT WITHHELD
A) Savings Account	\$ _____	\$ _____
B) Check/MMA/Now Account	\$ _____	\$ _____
C) Certificate of Deposit	\$ _____	\$ _____
D) Trust Account/Other	\$ _____	\$ _____
(Describe) _____		
E) Safety Deposit <input type="checkbox"/> Yes <input type="checkbox"/> No		
F) Land Trust No. _____		
G) Less Right of Offset for Loans		\$ _____
	TOTAL AMOUNT FROZEN:	\$ _____

5. List all electronic deposits into account(s) and their source(s) except deposits:

Account Number	Source	Monthly Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

6. List all joint account holders or adverse claimants:

Name _____	Name _____	Name _____
Address _____	Address _____	Address _____
Account Type <input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	Account Type <input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	Account Type <input type="checkbox"/> Checking <input type="checkbox"/> CD Savings
<input type="checkbox"/> Account Number _____	<input type="checkbox"/> Account Number _____	<input type="checkbox"/> Account Number _____

INSTRUCTIONS

(1.) Fill out and sign the certification below. (2.) This Answer must be filed at least three (3) days before the court date to assure timely processing. (3.) Fax or mail a copy of this Answer to (i) the Court, (ii) Plaintiff's attorney and (iii) Judgment Debtor. If filing in the First Municipal District, you may fax to (312) 603-6522 or mail to the Clerk of the Court, Richard J. Daley Center, 50 W. Washington street, Room 602, Chicago, IL 60602. (4.) You will receive a copy of a Court Order by fax or mail instructing you how to proceed and where to send any withheld funds.

CERTIFICATION

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct and that I have mailed this Answer to Defendant(s).

Date: _____ Print Agent Name: _____
 Respondent Name: _____ Signature of Agent: _____
 Address: _____
 Telephone: _____
 FAX: _____

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS